

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting an Investigation)
into the Carrier Contribution)
Factor and Telecommunications)
Relay Services Fund Size for)
the period of July 1, 2006)
through June 30, 2007.)
_____)

DOCKET NO. 2006-0126

DECISION AND ORDER NO. 22536

Filed June 16, 2006

At 8 o'clock A.M.

Karen H. Hight
Chief Clerk of the Commission

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2006 JUN 19 A 8:23
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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PUBLIC UTILITIES COMMISSION)	Docket No. 2006-0126
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Instituting an Investigation)	Decision and Order No. 22536
into the Carrier Contribution)	
Factor and Telecommunications)	
Relay Services Fund Size for)	
the period of July 1, 2006)	
through June 30, 2007.)	
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DECISION AND ORDER

By this Order, the commission establishes the Telecommunications Relay Services ("TRS") carrier contribution factor for the period July 1, 2006 to June 30, 2007 (the "Period") at 0.0010, and establishes the projected TRS fund size for the Period at approximately \$591,605.

I.

Background

On May 23, 2003, the commission issued Order No. 20193 in Docket No. 03-0058 ("Order No. 20193"), which, among other things, ordered: (1) every telecommunications carrier providing intrastate telecommunications service in the State to contract with Sprint¹ for the provision of TRS for the period beginning

¹In Docket No. 03-0058, the commission selected Sprint Communications Co., LP ("Sprint") as the exclusive provider of intrastate TRS within the State of Hawaii ("State") from July 1, 2003 to June 30, 2006. See Decision and Order No. 20163, filed on April 30 2003, in Docket No. 03-0058;

July 1, 2003 to June 30, 2006; (2) carrier contributions to the TRS fund shall be based upon carriers' gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year; (3) contributions to the TRS fund shall be calculated as the product of the carriers' gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year, which is subject to investigation by the commission, and a contribution factor determined annually by the commission; and (4) the annual TRS funding period commences on July 1st and ends June 30th of each year.

II.

Investigation

By Order No. 22464, filed on May 12, 2006 ("Order No. 22464"), the commission initiated the instant proceeding to examine whether to modify the TRS carrier contribution factor and fund size for the Period, established in accordance with Order No. 20193, and updated by Order No. 21049, filed on June 10, 2004, in Docket No. 04-0070, and by Order No. 21847, filed on May 31, 2005, in Docket No. 05-0088. Specifically, in Order No. 22464, the commission proposed to continue the existing carrier contribution factor of 0.0010. The commission also proposed a fund size of approximately

Order No. 20193. By Order No. 22438, filed on May 1, 2006, in Docket No. 03-0058, the commission extended Sprint's provision of TRS for an additional two years (from July 1, 2006 to June 30, 2008), and approved a price increase for Sprint's services under the extended period.

\$591,605 for the Period, which represents an approximate five-month operating reserve for the fund.

The commission served copies of Order No. 22464 on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"),² Sprint, and all chartered, certificated, and registered telecommunications carriers in the State, except payphone providers,³ at their mailing addresses on file with the commission to solicit written comments. The deadline for written comments to the proposals was June 2, 2006. As of the date of this Decision and Order, no written comments were filed with the commission on any of the commission's proposals.

Upon review, the commission finds the proposals in Order No. 22464 to be reasonable and in the public interest. Accordingly, the carrier contribution factor for the Period shall be 0.0010 and the projected TRS fund size for the Period shall be established at approximately \$591,605.

²The Consumer Advocate is statutorily mandated to represent, protect, and advance the interests of all consumers of utility service and is an *ex officio* party to any proceeding before the commission. See Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62.

³In Order No. 20193, the commission specifically excluded payphone providers from contributing to the TRS fund.

III.

Orders

THE COMMISSION ORDERS:

1. The contribution factor for the Period (July 1, 2006 to June 30, 2007) shall be 0.0010. The projected TRS fund size for the Period shall be approximately \$591,605.

2. Each carrier shall complete and submit a TRS Reporting Worksheet, attached to this Order as Exhibit "A".

3. Annual contributions are due July 26th of each year; carriers who owe contributions of \$1,200 or more may pay in twelve equal monthly installments, due on the 26th of each month, provided that they submit their TRS Reporting Worksheet by July 26th of each year.

4. Carriers reporting \$10,000 or less in gross intrastate retail revenues shall contribute at least \$10.00 for the period July 1, 2006 to June 30, 2007.


5. Every carrier, except Commercial Mobile Radio Service ("CMRS") providers, shall comply with the 30-day notice requirement of HRS § 269-16(b) and HAR § 6-80-40(b) for any TRS surcharge imposed on its customers, both residential and business, to recover the amount of its contribution. CMRS providers shall place information on their TRS surcharges on their websites, consistent with Decision and Order No. 20890, filed on April 7, 2004, in Docket No. 03-0186.

6. Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058, is amended consistent with the terms and

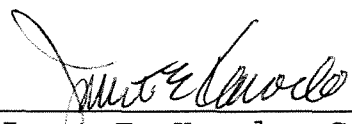
conditions of this Decision and Order. In all other respects,
Order No. 20193 remains unchanged.

DONE at Honolulu, Hawaii JUN 16 2006.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Kaiulani E.S. Kidani
Commission Counsel

2006-0126.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing
Decision and Order No. 22536 upon the following parties, by causing a copy
hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Karine M. Hellwig, Staff Mgr.
c/o Sprint Regulatory Reporting
Mailstop: KSOPHT0101-Z2400
6391 Sprint Parkway
Overland Park, KS 66251-2400

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Startec Global Licensing Company
Jim Morgan, corporate Counsel
1151 Seven Locks Road
Potomac, MD 20854

Summit Communications, Inc.
Chad Johnston
1132 Bishop Street, Suite 1800
Honolulu, HI 96813-2843

Syniverse Technologies, Inc.
fka Syniverse Networks, Inc.
fka TSI Telecommunications
Network Services, Inc.
David J. Robinson
One Tampa City Center, #700
Tampa, FL 33602

Talk America, Inc.
fka Talk.com Holding Corp.
fka Tel-Save, Inc.
Francie McComb, VP-Reg. Affairs
6805 Route 202
New Hope, PA 18938

Talknow, Inc.
9775 Business Park Avenue
San Diego, CA 92131

TDI Communications, Inc.
Ayanery Reyes, Project Mgr.
805 Third Avenue, 8th Floor
New York, NY 10022

TeleCents Communications, Inc.
Jeffrey P. Lauzon, President/Treasurer
8615 Richardson Road, Suite 200
Walled Lake, MI 48390

TelecomEZ Corporation
113 A-3 Coronado Court
Fort Collins, CO 80525

Teleconnect Long Distance Services &
Systems Company
dba Telecomm*USA
Haley Davery, Reg.Compliance Analyst
c/o MCI, Inc.
201 Spear St., 9th Floor
San Francisco, CA 94105

Telefyne Incorporated
4286 Woodbine Road, Suite B
Pace, FL 32571

Telegenius, Inc.
Kellie S. Webb, President
2901 Ridgelake Drive, Suite 212
Metairie, LA 70002

TelHawaii, Inc.
Brenda Shepard, VP Finance
201 E. 56th Avenue
Anchorage, AK 99518

Teligent Services, Inc.
Jennifer Martin, Mgr, Regulatory
7925 Jones Branch Drive, #3300
Mc Lean, VA 22102-3321

Tel-West Companies
dba Hassle Free Phone
P.O. Box 1319
Logandale, NV 89021

Think 12 Corporation
dba Hello Depot
Michael H Kim
1530 Barclay Boulevard
Buffalo Grove, IL 60086

Time Warner Cable Information Services
(Hawaii), LLC
Julie Y Patterson, Esq.
290 Harbor Drive
Stamford, CT 06902

Time Warner Telecom of Hawaii, L.P.
dba Oceanic Communications
Rochelle D. Jones
10475 Park Meadows Drive, #400
Littleton, CO 80124

T-Mobile West Corporation
dba T-Mobile fka Voicestream Wireless
David Van Ness, Director, State &
Local Tax
12920 SE 38th St
Bellevue, WA 98006-7305

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TON Services Inc.
Gary Barlow, CFO & Treasurer
4185 Harrison Boulevard, Suite 301
Ogden, UT 84403

Total Call International, Inc.
Mark Leafstedt
707 Wilshire Boulevard, 12th floor
Los Angeles, CA 90017

Trans National Communications
International, Inc.
Cameron Nance, Reg Affairs Dept.
2 Charlesgate West
Boston, MA 02215

Transcommunications, Incorporated
6125 Preservation Drive
Chattanooga, TN 37416

Tri-M Communications, Inc.
TMC Communications
Ron Ireland, VP and CFO
820 State Street, 5th Floor
Santa Barbara, CA 93101

Trinsic Communications, Inc.
fka Z-Tel Communications, Inc.
Robert A. Curtis, VP Business
601 South Harbour Island Boulevard
Suite 22
Tampa, FL 33602

TTI National, Inc.
MCI WorldCom, Inc.
Haleh Davary, Regulatory Report
201 Spear Street, 9th Floor
San Francisco, CA 94105

Twin City Capital, LLC
dba Small Business America
7300 Hudson Boulevard, N #265
Saint Paul, MN 55128-7143

UCN, Inc. (United Carrier Networks)
dba Buyersonline,
fka Buyers United, Inc.
Kimm Partridge, Corp. Secretary
14870 South Pony Express Drive
Bluffdale, UT 84065

Universal Access, Inc.
dba UAI of Hawaii, Inc.
Joe DelPreto, Rev Assurance Mgr
200 South Wacker Drive, Suite 1200
Chicago, IL 60606

Universal Broadband Communications, Inc.
dba Business Savings Plan
Gabrielle Ruelas, Reg. Contact
5440 Trabuco Rd
Irvine, CA 92620-5704

US South Communications, Inc.
William C. Stoll, V.P., CFO
250 Williams Street, Suite M-100
Atlanta, GA 30303

Value-Added Communications, Inc.
Kermit D. Heaton
3801 E. Plano Parkway, Suite 100
Plano, TX 75074

VarTec Telecom, Inc.
Kevin Allen, Mgr, Reg Affairs
c/o Kevin Allen, Mgr. Reg Affairs
2440 Marsh Lane
Carrollton, TX 75006

Verizon Hawaii International, Inc.
fka GTE HawaiianTel International Inc.
Attn: Joan Engler
1717 Arch Street 22nd Floor North
Philadelphia, PA 19103

Verizon Select Services, Inc.
fka GTE Communications Corporation
Kathleen Hodges, Mgr. Regulatory
1717 Arch Street Floor 22N
Philadelphia, PA 19103

Via One Technologies, Inc.
525 Broadway, 5th Floor
New York, NY 10012

Virgin Mobile USA, LLC
Marie Gilhuley, Controller
10 Independence Boulevard
Warren, NJ 07059

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Vitcom Corporation
111 John Street, Suite 1400
New York, NY 10038

Voicecom Telecommunications, LLC
5900 Windward Parkway, Suite 500
Alpharetta, GA 30005

West End Communications, Inc.
3001 W. Hallandale Beach Boulevard
Pembroke Park, FL 33009

Western CLEC Corporation
fka Eclipse Communication
Western Wireless Corporation
Gene DeJordy, Esq.
One Allied Drive
Little Rock, AR 72202

Wiki Wiki Telecom, Inc.
Karmen Williams
1625 B Street
Washougal, WA 98671

WilTel Communications, LLC
fka Williams Communications, Inc.
Leigh Roderick, Regulatory Affairs
One Technology Center
Mail Drop: TC-7B
Tulsa, OK 74103

Winstar of Hawaii, LLC
Kimberly Bradley, Sr.
520 Broad Street
Newark, NJ 07102

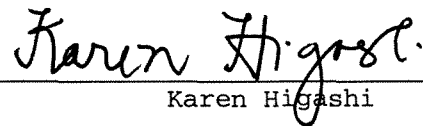
Working Assets Funding Service, Inc.
Walter McGee, Regulatory Mgr.
101 Market Street, Suite 700
San Francisco, CA 94105

X2Comm, Inc.
dba DC Communications
270 South Main Street
Flemington, NJ 08822

XO communications Services, Inc.
fka XO Long Distance Services, Inc.
fka Nextlink Long Distance
Services, Inc.

Michael O'Day, Chief Tax Officer
11111 Sunset Hills Road
Reston, VA 20190

Zone Telecom, Inc.
Jill Papenhausen, Dir., Legal
3 Executive Campus, Suite 520
Cherry Hill, NJ 08002


Karen Higashi

DATED: JUN 16 2006

State of Hawaii
Public Utilities Commission
Telecommunications Relay Services
Carrier Remittance Worksheet
For the Period July 1, 20__ - June 30, 20__

SECTION A		CARRIER IDENTIFICATION
Date:		
Company Name:		
Mailing Address:		
Email Address:		

SECTION B		REMITTANCE CALCULATION
1. Gross Revenues (Based on Prior Calendar Year) <small>(e.g., Current year is 20X6; Report revenues from 20X5) (Amount should match gross revenues reported for Hawaii PUC Fee purposes, HRS § 269-30)</small>		
2. Less: Revenue Adjustments (describe, see Section E)	< >	
3. Gross Intrastate Retail Revenues		
4. Hawaii TRS Contribution Factor	.001	
5. Gross Hawaii TRS Assessment (line 3 x line 4)		
6. Greater of line 5 or \$10.00 (minimum due)		
<p>If Line 6 is less than \$1,200, this is your annual contribution to the TRS Fund for the period beginning July 1st of the current year to June 30th of the following year. Please pay the amount on line 6, in full, by July 26th of the current year. Send your remittance with a copy of this worksheet to the address listed below.</p> <p>If Line 6 is \$1,200 or more, continue to line 7 below.</p>		

SECTION C		MONTHLY CONTRIBUTION
7. Divide line 6 by 12		
<p>Line 7 is your first monthly contribution to the TRS Fund, for the period beginning July 1st of the current year to June 30th of the following year. Send your 1st monthly remittance with a copy of this worksheet to the address listed below. Please pay the amount on line 7 by July 26th. Solix Inc. (fka NECA Services, Inc.) will then send you a bill for the remaining eleven monthly payments.</p>		

SECTION D		CERTIFICATION	
<p>Under penalties as provided by law, I certify that I am duly authorized to verify the foregoing information contained herein and that the information is true and correct to the best of my knowledge and belief.</p>			
Date	Officer Name	Officer Signature	Officer Title
Date	Contact Name	Contact Phone	Contact Title

<p style="text-align: center;">Questions???</p> <p style="text-align: center;">Hawaii TRS Administrator Solix Inc. 100 S. Jefferson Road Whippany, NJ 07981 Phone (973) 581-5234 Fax (973) 599-6504</p>	<p style="text-align: center;">Make checks payable to "Hawaii TRS" and send with worksheet to: Attn: Hawaii TRS Administrator Solix Inc. 100 S. Jefferson Road Whippany, NJ 07981</p>
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SECTION E DETAILS CONCERNING REVENUE ADJUSTMENT(S)	
If revenue adjustment(s) are not explained here, amounts deducted will be disallowed and proposed assessments may be prepared against you.	
Describe amounts deducted from Gross Revenues to obtain Gross Intrastate Retail Revenues (list):	Amount
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
TOTAL	